

SUBCOMMITTEE: CRIMINAL

HOUSE BILL NO. 475

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice

on _____)

(Patron Prior to Substitute--Delegate Mullin)

A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 14, consisting of a section numbered 9.1-191, relating to Virginia sexual assault forensic coordination program.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 1 of Title 9.1 an article numbered 14, consisting of a section numbered 9.1-191, as follows:

Article 14.

Virginia Sexual Assault Forensic Examiner Coordination Program.

§ 9.1-191. Virginia sexual assault forensic examiner coordination program.

A. The Department shall establish a Virginia sexual assault forensic examiner coordination program. The program shall be headed by a coordinator (the Coordinator). The Coordinator shall:

1. Create and coordinate an annual statewide sexual assault forensic nurse examiner training program in partnership with the Attorney General, the Department of Health, the Virginia Hospital and Healthcare Association, the Victim Compensation Fund, the International Association of Forensic Nurses, and the Secretary of Health and Human Services;

2. Coordinate the development and enhancement of sexual assault forensic examiner programs across the Commonwealth that include prevention of secondary trauma to survivors of sexual assault and culturally sensitive training for health professionals;

3. Participate in the development of hospital protocols and guidelines for treatment of survivors of sexual assault in partnership with the Department of Health;

26 4. Coordinate and strengthen communications among sexual assault nurse examiner medical
27 directors, sexual assault response teams, and hospitals for existing and developing sexual assault nurse
28 examiner programs;

29 5. Provide technical assistance for existing and developing sexual assault forensic examiner
30 programs, including local sexual assault forensic examiner training programs;

31 6. Create and maintain a statewide list, updated biannually, to include the following:

32 a. A list of available sexual assault forensic examiners, sexual assault nurse examiners, sexual
33 assault forensic nurse examiners, and pediatric sexual assault nurse examiners;

34 b. The location and facility affiliation of each examiner;

35 c. The duty hours for each examiner and affiliated facility for sexual assault exam services; and

36 d. The location of available local sexual assault forensic examiner training programs;

37 7. Coordinate, share, and disseminate the list created pursuant to subdivision 6 to the emergency
38 operations communications system available to emergency medical services and law-enforcement
39 agencies as well as the internal emergency and hospital communications system;

40 8. Share and disseminate the list created pursuant to subdivision 6 with all other relevant agencies,
41 including law-enforcement agencies, attorneys for the Commonwealth, victim-witness programs, sexual
42 assault service organizations, the Department of Juvenile Justice, the Department of Social Services, the
43 Department of Education, and school divisions;

44 9. Create sexual assault nurse examiner recruitment materials for universities and colleges with
45 nursing programs in partnership with the State Council of Higher Education for Virginia; and

46 10. Support and coordinate community education and public outreach, when appropriate, relating
47 to sexual assault nurse examiner issues for the Commonwealth.

48 B. The Coordinator may request and shall receive from every department, division, board, bureau,
49 commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is
50 a party, or any political subdivision thereof, cooperation and assistance in the performance of its duties.
51 The Coordinator may also consult and exchange information with local government agencies and
52 interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sexual assault exams within the Commonwealth, including budget needs to increase the availability of sexual assault exam services across the Commonwealth. The Department shall ensure that such report is available to the public.

2. That the Department, in cooperation with Virginia's existing sexual assault forensic examiner programs, shall submit a report providing a feasibility plan for the establishment of centers of excellence as a model to increase the availability of sexual assault exam services to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by January 1, 2022, as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents, and the report shall be posted on the General Assembly's website. The Department shall publish the report on the Department's website no later than 10 days following its submission to the General Assembly.

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